

## INITIAL STATEMENT OF REASONS

### FOR PROPOSED BUILDING STANDARDS OF THE

BUILDING STANDARDS COMMISSION  
DEPARTMENT OF CONSUMER AFFAIRS  
DEPARTMENT OF HEALTH SERVICES  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF THE STATE ARCHITECT  
OFFICE OF THE STATE FIRE MARSHAL  
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT  
STATE LIBRARY

### REGARDING THE CALIFORNIA BUILDING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when a rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

#### **STATEMENT OF SPECIFIC PURPOSE AND RATIONALE:**

(Government Code Section 11346.2 requires a statement of specific purpose of EACH adoption, amendment, or repeal and the rational the determination by the agency that EACH adoption, amendment, or repeal is reasonably necessary to carry out the purpose for which it is proposed.

- When repealing adopted California original standards, summarize the effect of the standards and explain why the standard is no longer necessary
- When amending a standard, explain the standard proposed to be modified, explain the effect of the proposed modification, explain the inadequacy of the standards being modified, and explain why the proposed amendment is necessary)

The general purpose of this proposed action is principally intended to update and codify a new edition of the California Building Code (California Code of Regulations, Title 24, Part 2) based upon a more current edition of a model code. The current California Building Code in effect is the 2001 California Building Code which is based upon the 1997 Uniform Building Code of the International Conference of Building Officials. This proposed action:

- Repeal the 1997 Uniform Building Code of the International Conference of Building Officials and incorporate and adopt in its place the 2006 International Building Code of the International Code Council for application and effectiveness in the 2008 California Building Code pursuant to Health and Safety Code 18928. Health and Safety Code 18928 requires any state agency adopting model codes to adopt the most recent edition.
- Repeal amendments to the 1997 Uniform Building Code and/or California Building Standards not addressed by the model code that are no longer necessary nor justified pursuant with Health and Safety Code 18930(a)(7).
- Adopt and implement additional necessary amendments to the 2006 International Building Code that address inadequacies of the 2006 International Building Code as they pertain to California laws.

- Codify non-substantive editorial and formatting amendments from the format based upon the 1997 UBC to the format of the 2006 IBC.

The specific purpose and rationale of each adoption, amendment, or repeal is as follows:

#### Chapter 9 – Fire Protection Systems

901.2 of the 2006 IBC: General requirement Section 901.2 – Fire protection systems references the International Fire Code for installation requirements. The Office of the State Fire Marshal is proposing to replace the reference to the *International Fire Code* with the *California Fire Code*. While the *California Fire Code* is proposed to be based upon the *International Fire Code*, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the *International Fire Code* proposed by Office of the State Fire Marshal are applied and enforced. Without this amendment, the non-amended International Fire Code would apply.

**Comment:** When amending the text of model codes, explain the affect pf the model code, explain the affect of the proposed modification, explain the inadequacy of the model code text, explain the necessity of the proposed amendment.

901.5 of the 2006 IBC: Section 901.5 – Acceptance tests establishes minimum test requirements for fire protection systems. Specific to this change proposal, section 901.5 refers to the *International Fire Code*. For the same reasons detailed for section 901.2, the Office of the State Fire Marshal is proposing to replace the reference to the *International Fire Code* with the *California Fire Code*.

**Comment:** If a previous statement of reason clearly explains the rationale for the amendment, refer to the reason; however, an explanation of the affect of the model code text is still needed.

901.6.2 of the 2006 IBC: Section 901.6.2 – Fire Alarm Systems requires monitoring by an approved supervising station in accordance with the *International Fire Code*. For the same reasons detailed for section 901.2, the Office of the State Fire Marshal is proposing to replace the reference to the *International Fire Code* with the *California Fire Code*.

902 of the IBC (903 of the 2001 CBC): California Section 903 adopted by both the Office of the State Fire Marshal and State Library is being amended and moved to IBC Section 902. While the provisions of CA Section 903 are not addressed by the currently adopted model code, they are addressed in the IBC. For clarity and simplicity, section 903 of the 2001 CBC is shown repealed in its entirety; however, the purpose of this code change is to amend Section IBC 902 to be consistent with CA Section 903. Specifically, this proposed action repeals two definitions, “Sprinkler Alarm” and “Sprinkler Systems”, that are now defined in the IBC, and adequately address the goals of SFM and SL. Thus, the amendment is no longer necessary.

Furthermore, several amendments to the definition of “standpipe systems” are no longer necessary and are being repealed because the IBC definition includes the SFM and SL current amendments regarding the users of Class I, II, and III standpipes. The remaining amendments of current code to the definition of “standpipe systems” are being integrated into the IBC definition, which clarifies (1) whether Class I, II, and III standpipes are dry, wet, or combination; (2) that Class I is without a direct connected water supply; and (3) that the size of outlets for use by the fire authority shall be determined by the fire authority having jurisdiction.

**Comment:** When repealing adopted CA original regulations, summarize the effect of the regulation proposed for repealing and explain why the the regulation is no longer necessary.

(New) 903.2.1.6 (904.2.11 et. seq. of the 2001 CBC): Section 904.2.11 et. seq. of the 2001 CBC sets forth automatic fire sprinkler requirements of the State Library for public libraries funded from the California Library Construction and Renovation Act of 1988. This change simply moves current standards, which are not address by model codes to a new section of the code to be consistent with the format of IBC.

**Comment:** When moving CA original regulations that are wholly not addressed by the model code, provide an explanation of such.

903.2.12.1 of the 2006 IBC: 903.2.12.1 requires ducts conveying hazardous exhausts referenced from the *International Mechanical Code* to be provided with automatic sprinklers. However, the State’s mechanical code is the California Mechanical Code which is based upon the *Uniform Mechanical Code* of the International Association of Mechanical and Plumbing Officials, and not the *International Mechanical Code*. This amendment of the Office of the State Fire Marshal is necessary to ensure that automatic sprinklers are triggered by the code adopted by the State.

903.3.5 of the 2006 IBC: Section 903.3.5 references the *International Plumbing Code* for protection against backflow to potable water system from sprinklers, which is spoken to in Section \_\_\_\_ of the IPC. Section \_\_\_\_ requires ....

However, the State's plumbing standards are contained in the California Plumbing Code which is based upon the 2000 edition of the *Uniform Plumbing Code* of the International Association of Mechanical and Plumbing Officials. Regarding this matter, the CPC requires the following backflow protection. Section \_\_\_\_ of the CPC requires ... The CPC adequately addresses the goals and needs of the OSFM. Thus, the OSFM is proposing to replace the IBC references to the IPC with the CPC.

(903.6 of the 2001 CBC): California amendments for the Division of the State Architect (DSA) and the Office of Statewide Health Planning and Development (OSHPD) to section 903.8 of the 2001 CBC are being repealed. DSA and OSHPD amend this section to clarify that "enforcing agency" as well as the building official may require documentation of smoke and heat venting designs. IBC section 910.4 and IBC definition of "building official" adequately addresses the goals of DSA and OSHPD. Thus, the amendment is no longer necessary

#### **TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:**

(Government Code Section 11346.2(b)(2) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).)

#### **CONSIDERATION OF REASONABLE ALTERNATIVES**

(Government Code Section 11346.2(b)(3)(A) requires a description of reasonable alternatives to the regulation and the agency's reason for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate)

[Describe reasonable alternatives and reason for rejecting those alternatives]

#### **REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.**

(Government Code Section 11346.2(b)(3)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business. Include facts, evidence, documents, testimony, or other evidence upon which the agency relies to support an initial determination that the action will not have a significant adverse impact on business.)

[Describe reasonable alternatives and reason for rejecting]

#### **FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.**

(Government Code Section 11346.2(B)(4) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies in to support an initial determination that the action will not have a significant adverse economic impact on business)

[Describe the facts, evidence, documents, testimony or other evidence]

#### **DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

(Government Code Section 11346.2(b)(5) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following

justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment. It is not the intent of this paragraph to require the agency to artificially construct alternatives or to justify why it has not identified alternatives)

[DESCRIBE EFFORTS, if applicable]

ILLUSTRATION